

## **REMARKS**

Applicants respectfully request reconsideration of this application.

Independent claims 23, 32, 40, and 47 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Costa et al. ("Costa") (U.S. Patent No. 5887067) in view of Arnold et al. ("Arnold") (U.S. Patent No. 6160213). Dependent claims 23-31, 33-39, 41-46, 48, and 49 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Costa and/or over Costa in view of Arnold.

### **Claim 23 Rejection under 35 U.S.C. §103(a)**

Claim 23 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Costa in view of Arnold.

Costa discloses an audio communications system for a life safety network.  
Arnold discloses an electronic music instrument system comprising a ... signal generator and ... a GUI for displaying at least one control graphic representing controllable parameters of the audio signals generated by the generator. Costa and Arnold are directed to entirely different functions. There is no motivation in Costa (a life safety network) to combine the GUI of Arnold (a musical instrument). Nor is there any motivation in Arnold to combine a musical instrument with the life safety network of Costa.

For example, as set forth in claim 23, the claimed present invention provides:

23. A graphical user interface (GUI) of a player/recorder system comprising:

a first display portion including a plurality of control boxes each to control a corresponding one or more of a plurality of tracks of each of a plurality of audio processing modules; and

a second display portion including a central control mechanism for substantially simultaneously controlling all of the plurality of tracks of each of the plurality of audio processing modules.

Assuming *arguendo* a teaching to combine, the combination of Costa and Arnold would not disclose the present invention for the following reason.

First, Costa discloses:

To generate live tones or messages for multiplexing tones and messages locally at the ASU [Audio Source Unit] 12, the ASU has a local microphone 130 with a push-to-talk ("PTT") switch and three external analog inputs, namely the remote microphone port 82, the telephone port 84 and the auxiliary audio device port 86. Normally, the messages recorded on the computer system are downloaded to the ASU 12, which is less expensive than providing a computer with each ASU. Thus, the computer systems are used as recording studios. (Column 7, lines 36-45. Emphases added. [Audio Source Unit] added.)

Further Costa discloses specifically:

Note that only one of the three paging inputs can be converted at any given time, i.e. paging can occur from either the local mic., remote mic. or telephone. To page by telephone, the user must push the "page by telephone" switch located on the front display/switch panel. To page by remote mic., the remote mic. must be keyed. The priority is local mic., telephone, remote mic. in which the local mic. has the highest priority. (Column 8, lines 58-65. Emphases added.)

Thus what Costa has disclosed is the recording of a single input from a single ASU. In contrast, Applicants' claim 23 discloses, "a plurality of control boxes each to control a corresponding one or more of a plurality of tracks of each of a plurality of audio processing modules." (Emphases added.) The two are not the same because a single input from a single source is different than one or more tracks from a plurality of audio modules. Nor does the addition of Arnold to Costa cure this fatal defect.

Additionally, Costa discloses only the ability to play back a single channel address of audio. "Each audio amplifier module 14 receives a digital audio signal, selects an audio program, decompresses to signal and converts its [sic] back to an analog signal." (Column 9, lines 23-25.) Applicants' claim 23 discloses a plurality of tracks and a plurality of modules.

Further, Applicants' claim 23 discloses, among other things, "a second display portion including a central control mechanism for substantially simultaneously controlling all of the plurality of tracks of each of the plurality of audio processing modules." (Emphasis added.) As the Action has stated, "Costa et al. fails to specifically disclose the capabilities of a first and second display portion; collapsible control boxes as well as an overall control mechanism (hereinafter referred to as 'user interface capabilities')." (Action, page 2, section 1.) Applicants object to, and specifically traverse, the Action's characterization "that disclosing such user interface capabilities were well known in the art." (Action, page 2, section 1.)

Finally, Applicants disagree with the Action's inherency contention that one of ordinary skill in the art at the time of the invention would modify Costa by "providing a first and second display portion with universal and/or central control of multiple audio devices for the purpose of enabling a recording expert to provide real-time adjustments of the audio effects (as inherently taught in col 1, background of the invention)." (Action page 3.) Applicants find nothing in the cited background to support the contention that either a first or a second display, much less both displays (as in Applicants' claim 23) is inherently taught.

For all the above reasons, Applicants submit that claim 23 and those claims dependent on such are distinguishable over the cited art individually or in combination, and are thus allowable.

**Claims 32, 40, and 47 Rejection under 35 U.S.C. §103(a)**

Claims 32 (method), 40 (apparatus), and 47 (Beauregard) disclose, as claim 23 discloses, "a plurality of control boxes," a "plurality of audio processing modules," a first display, and a second display. For all the reasons discussed above with respect to claim 23, Applicants submit that claims 32, 40, 47 and their respective dependent claims are distinguishable over the cited art and are thus allowable.

Applicants respectfully submit that all claims be allowed.

The Examiner is invited to call Alan Heimlich at 408 720-8300 x326 if there remains any issue with allowance.

Please charge Deposit Account No. 02-2666 for any fees not covered by any remittance enclosed and take any time extensions necessary.

Respectfully submitted,

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